

Notice of Allowability

Application No.

10/520,900

Examiner

Lessanework T. Seifu

Applicant(s)

SOMMER ET AL.

Art Unit

1797

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 12/26/07.
2. ☒ The allowed claim(s) is/are 21-24, 27 and 28.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William C. Gehris on February 2, 2008.

The Abstract in the application has been amended as follows:

A method for starting a gas generating system serving to generate a hydrogenous gas used for operating a fuel cell. The gas generating system includes: devices for converting starting materials into the hydrogenous gas; devices for conditioning at least a portion of the starting materials; devices for purifying the hydrogenous gas by removing unwanted gas constituents, and; a starting burner. According to the method, in a first method step, at least one fuel is combusted inside the starting burner. The hot waste gases resulting from this combustion firstly heat the devices provided for conditioning at least a portion of the starting materials, and the residual heat of these waste gases subsequently heats at least one additional component. In parallel thereto, the devices for converting the starting materials are heated by an electric heating. In a second method step, the starting materials are subsequently fed into the respective components of the aforementioned devices after a starting temperature has been reached. In a third method step, the quantitative proportions of the starting materials are then continuously modified in the direction towards the quantitative proportions provided for the normal operation of the gas generating system.

Allowable Subject Matter

1. Claims 21-24, 27 and 28 are allowed.
2. The following is an examiner's statement of reasons for allowance:

The above claims are allowed because the prior art fails to disclose or render obvious a method for starting a gas generation system as recited in claim 21 wherein the method comprising: in a first step, burning at least one fuel in the starting burner so as to from hot exhaust gases, heating the conditioning device using the hot exhaust gases, using a residual heat from the hot exhaust gases to heat at least one further component, and electrically heating the at least one converting device; in a second step, adding starting substances at an initial quantitative ratio with respect to one another to respective components of the devices after a starting temperature has been reached; and in a third step, continuously changing the quantitative ratio from the initial quantitative ratio toward an operational quantitative ratio, wherein the at least one further component includes a heat exchanger of a cooling circuit, wherein the cooling circuit heats the fuel cell. Regarding claim 27, the method further comprising, during an initial stage of the second step, passing at least some of the gas generated in the at least one converting device through a bypass around a fuel cell and a removal device and feeding the gas directly to a catalytic burner.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lessanework T. Seifu whose telephone number is 571-270-3153. The examiner can normally be reached on Mon-Thr 7:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Walter Griffin can be reached on 571-272-1447. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LS


WALTER D. GRIFFIN
SUPERVISORY PATENT EXAMINER